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10/510,965

02/17/2005

Choon Jong

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07/11/2006

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EXAMINER

NGUYEN, PHUONGCHI T

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/510,965

Applicant(s)

JONG, CHOON

Examiner

Phuongchi Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46, 51-90 and 97 is/are pending in the application.
- 4a) Of the above claim(s) 14, 16, 17, 19-46, 51-81 and 88-90 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15, 18, 82-87 and 97 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. The amendment filed on November 27, 2000 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure is as follows: the limitation "at least one conductor and arranged to be electrically connected to a connector, wherein the conductive member is displaceable by said connector between a first position in which the member prevents access of said connector to the at least one conductor and a second position in which the member allows said connector to be electrically connected to the at least one conductor" in claims 1 and 82, are not mentioned in the original specification, claims or shown in the drawings. Applicant is required to cancel the new matter in the reply to this Office Action.

2. Applicant's amendment of May 01, 2006 is acknowledged. It is noted that claims 1 and 82 are amended. Claims 14, 16-17, 19-46, 51-81 and 88-90 are withdrawn. Claims 47-50 and 91-96 are canceled. New claim 97 is added.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "an extension cable" as recited in claim 97 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

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be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 1 and 82 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1, lines 7-11, the limitation ""at least one conductor and arranged to be electrically connected to a connector, wherein the conductive member is displaceable by said connector between a first position in which the member prevents access of said connector to the al least one conductor and a second position in which the member allows said connector to be electrically connected to the al least one conductor" is not in the specification, original claims and original drawings.

Claim 82, lines 6-10, is rejected as the same citation in claim 1.

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6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 97 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear where is “an extension cable” connected to the electrical power supply distribution apparatus. And the specie I of Figs. 1-6 and 26 does not include “an extension cable”.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-4, 7, 12-13, 82-87 are rejected under 35 U.S.C. 102(b) as being anticipated by Rogers et al (US5688132).

In regards to claims 1 and 82, Rogers et al discloses an electrical power supply distribution apparatus comprising (fig. 2) a conduit (16) (or a housing of Applicant’s claim 82) including at least one elongate conductor (L1, L2), the conduit (16) having an opening (10g) through which a connector (10) is able to be inserted to connect electrically with the at least one conductor (L1, L2), and a conductive member (G) disposed between the opening (10g) and the conductor (L1, L2) and resiliently displaceable by the connector (10) to provide access to the conductor (L1, L2) (fig 3).

In regards to claims 2 and 83, Rogers et al discloses the apparatus wherein the conductive member (G) forms an earth connector.

In regards to claims 3 and 84, Rogers et al discloses the apparatus wherein the conductive member (G) is resiliently biased towards the opening (10g) (by member 16f).

In regards to claim 4, Rogers et al discloses the apparatus wherein the conductive member (G) occludes (a portion of) the opening (10g) (fig. 2).

In regards to claims 7 and 85, Rogers et al discloses the apparatus wherein the opening (10g) is an elongate slot (fig. 3).

In regards to claims 12 and 86, Rogers et al discloses in combination apparatus having the connector (10) having an electrical contact (P1, P2) arranged to engage the conductor (L1, L2).

In regards to claims 13 and 87, Rogers et al discloses the combination wherein the apparatus comprises first (L1) and second conductors (L2) and the connector (10) comprises first and second electrical contacts (P1, P2) arranged to engage respective the conductors (L1, L2).

10. Claims 1, 3-10, 47 and 49-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Tan (US5167516).

In regards to claim 1, Tan discloses an apparatus an electrical power supply distribution apparatus comprising a conduit (29) containing at least one elongate conductor (77, 78, 80), the conduit (29) having an opening (20) through which a connector (14) is able to be inserted to connect electrically with the conductor (77, 78, 80), and a conductive member (55) disposed between the opening (20) and the conductor (77, 78, 80) and resiliently displaceable by the connector (14) to provide access to the conductor (77, 78, 80) (fig. 5).

In regards to claim 3, Tan discloses the apparatus wherein the conductive member (55) is resiliently biased towards the opening (20).

In regards to claim 4, Tan discloses the apparatus wherein the conductive member (55) occludes the opening (20).

In regards to claim 6, Tan discloses the apparatus further comprising a displaceable flap (52) for the opening (20), the conductive member (55) underlying the flap (52) (fig. 5).

In regards to claim 7, Tan discloses the apparatus wherein the opening (20) is an elongate slot.

In regards to claim 8, Tan discloses the apparatus wherein the conductive member (55) has a sheet-like surface and a support portion (coil end portion of 55) engaging the conduit (29) (fig. 5).

In regards to claim 9, Tan discloses the apparatus further comprising two opposed support portions (one long spring end of 55 is opposite to another short spring end of 55 with a coil spring in-between).

In regards to claim 10, Tan discloses the apparatus having each portion of the conductive member is of winged form (one long spring end of 55 is opposite to another short spring end of 55 with a coil spring in-between).

In regards to claim 47, Tan discloses an apparatus for distributing electrical power and/or communication signals, the apparatus comprising an elongate conduit (29) containing at least one elongate conductor (77, 78, 80), the conduit (29) having an elongate opening (20) arranged to receive a connector (14) to connect electrically with the conductor (77, 78, 80) and a resiliently displaceable flap (52) for the opening (20) wherein the flap (52) is co-extruded with a pad forming a cover for the conduit (29) (col. 7, lines 11-17).

In regards to claims 49 and 50, Tan discloses the apparatus wherein the flap (52) and part (of the conduit 29) is are co-extruded from the same material but of different hardness or from different materials (col. 7, lines 13 and 16).

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Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 15, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al (US5688132) in view of Nadean (US5418328).

In regards to claim 15, Rogers et al discloses the invention generally all as claimed, but lacks a further conduit (a second conduit). However, Nadean teaches the electrical power supply distribution apparatus further comprising a further conduit (182) (second conduit 182 is similar to the first conduit 181) (fig. 16) containing at least one elongate conductor (17, 18), the further conduit (182) having an opening arranged to receive a data and/or communications connector (199) to connect electrically with the conductor (17, 18). It would have been obvious to one having ordinary skill at the time the invention was made to modify the electrical power supply distribution apparatus of Rogers et al by providing another conduit as taught by Nadean to expand the power supply apparatus for convenience to the users.

In regards to claim 18, after Roger et al has been modified by having another conduit as taught by Nadean, the (second) data/communications connector (199) having an electrical contact arranged to engage the conductor (which are similar to the electrical contacts of 195 to engage to the conductor 17, 18).

13. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tan (US4243284).

In regards to claim 48, Tan discloses the invention generally all as claimed, but lacks a

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second flap. It would have been obvious to one having ordinary skill at the time the invention was made to modify the apparatus of Tan by having a second flap to close the opening of conduit on both sides; since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Allowable Subject Matter

14. Claims 5 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

15. Applicant argues, "the grounding conductor (G) is received in a central slot (as shown in FIG. 2). And is deflected by the plug stud when the plug is inserted into the opening." is not deemed persuasive; because this limitation has not been claimed in any rejected claims.

16. Applicant's arguments with respect to HUMPHERY'S have been considered but are moot, because there is no ground(s) of rejection under Humphery's being made.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchi Nguyen whose telephone number is (571) 272-2012. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PCN

June 30, 2006



TULSIDAS C. PATEL
SUPERVISORY PATENT EXAMINER